

## CHARTER

### NATIONAL PARK SERVICE CONCESSIONS MANAGEMENT ADVISORY BOARD

A. DESIGNATION.

The official designation of the committee is the National Park Service Concessions Management Advisory Board (Board).

B. PURPOSE.

The purpose of the Board is to advise the Secretary of the Interior and the National Park Service on matters relating to management of concessions in the National Park System.

C. DUTIES AND RESPONSIBILITIES.

The duties of the Board are solely advisory, and are as stated in paragraph B above. Specifically, the Board will:

1. Provide advice on each of the following:
  - a. Policies and procedures intended to assure that services and facilities provided by concessioners are necessary and appropriate, meet acceptable standards at reasonable rates with a minimum of impact on park resources and values, and provide the concessioners with a reasonable opportunity to make a profit; and
  - b. Ways to make National Park Service concessions programs and procedures more cost effective, more process efficient, less burdensome, and timelier.
2. Make recommendations to the Secretary regarding each of the following:
  - a. National Park Service contracting with the private sector to conduct appropriate elements of concessions management and providing recommendations to make more efficient, less burdensome, and timelier the review or approval of concessioner rates and charges to the public;
  - b. The nature and scope of products which qualify as Indian, Alaska Native, and Native Hawaiian handicrafts; and
  - c. The allocation of concession fees.

D. ANNUAL REPORT.

The Board must provide an annual report on its activities to the Committee on Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.

E. MEMBERSHIP.

1. Membership of the Board will be composed of seven individuals appointed by the Secretary of the Interior from among citizens of the United States not in the employment of the Federal Government and not in the employment of or having an interest in a National Park Service concession operation. The seven members will be as follows:

- a. One member privately employed in the hospitality industry, having both broad knowledge of hotel or food service management and experience in the parks and recreation concessions business, to represent the hospitality industry's interests;
  - b. One member privately employed in the tourism industry, to represent the tourism industry's interests;
  - c. One member privately employed in the accounting industry, to represent the accounting industry's interests;
  - d. One member privately employed in the outfitting and guide industry, to represent the outfitting and guide industry's interests;
  - e. One member who is a State government employee with expertise in park concession management;
  - f. One member active in promotion of traditional arts and crafts, to represent traditional arts and crafts interests; and,
  - g. One member active in a nonprofit conservation organization involved in parks and recreation programs, to represent nonprofit conservation organizations' interests.
2. Members will be appointed on a staggered basis for terms not to exceed 4 years and will serve at the pleasure of the Secretary. A member may serve after the expiration of his or her term until a successor has been appointed.
3. Any member of the Board who fails to attend three consecutive meetings of the Board or who otherwise fails to substantively participate in the work of the Board may be removed from the Board by the Secretary and a replacement named.
4. Members of the Board will receive no pay, allowances, or benefits by reason of their service on the Board. However, while away from their homes or regular places of business in the performance of services for the Board as approved by the Designated Federal Official (DFO), members will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in government service are allowed such expenses under Section 5703 of Title 5 of the United States Code.
5. Service of individuals as members of the Advisory Board will not be considered as service or employment bringing such individuals within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connections with claims, proceedings, or matters involving the United States. Service as a member of the Board will not be considered service in an appointive or elective position in the Government for purposes of section 8344 of title 5, United States Code, or other comparable provisions of Federal law.

F. ETHICS RESPONSIBILITIES OF MEMBERS.

No Committee or subcommittee member shall participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department of the Interior in which the member has a direct financial interest.

G. ADMINISTRATION.

1. CHARTER. The Board is subject to the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix (1994). The Board will take no action unless the charter filing requirements of sections 9 and 14(b) of FACA have been complied with. The Board is subject to renewal every 2 years in accordance with the provisions of FACA.
2. DESIGNATED FEDERAL OFFICIAL. The Board reports to the Director of the National Park Service, U.S. Department of the Interior, Washington, DC. The Director, or a Federal employee designated by the Director, will serve as the Designated Federal Official (DFO) for purposes of Section 10 of the FACA.
3. CHAIRPERSON. The Secretary will designate a member of the Board to serve as Chairperson.
4. SUPPORT AND COSTS. Support for the Board will be provided by the National Park Service. The estimated annual operating cost of the Board is \$75,000, which includes the cost of 1/4 work-year of staff support.
5. MEETINGS. The Board will meet approximately two times a year, although it may convene more often if there is an immediate need for consultation, advice and review. All meetings of the Board will be subject to the provisions of the FACA. No Advisory Committee member, and no member of any subgroup of this Committee, shall participate in any matter in which the member has a financial interest.
6. SUBCOMMITTEES. In carrying out its duties, the Board, in consultation with the DFO, may form subcommittees drawn in whole or in part from the full Board, provided that the role of such subcommittees will be merely to provide information and recommendations for consideration by the full Board. Any such subcommittees will be chaired by a voting member of the Board. Membership on subcommittees and meetings of subcommittees are subject to approval by the DFO.


H. DURATION OF THE BOARD AND DATE OF TERMINATION.

Pursuant to Public Law 111-11, the Board will terminate December 31, 2009. However, due to the importance of the issues the Board advises on, in the event the Board is not extended by legislation before its termination date, the Secretary, pursuant to his or her authority in Section 3 of Public Law 91-383 (16 U.S.C. 1a-2(c)), hereby authorizes the Board to continue in effect as a discretionary committee from December 31, 2009, until such time as it may be legislatively re-authorized, provided that it is renewed in accordance with the provisions of FACA.

I. AUTHORITY.

This is a Federal advisory committee established by Title IV, Section 409 of Public Law 105-391, the National Parks Omnibus Management Act of 1998, November 13, 1998, amended by Title VII, Subtitle A, Section 7403 of Public Law 111-11, the Omnibus Public Land Management Act of 2009, March 30, 2009.

  
Secretary of the Interior

  
Date Signed

DATE CHARTER FILED AUG 26 2009